

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROBERT LEE EVANS,

PLAINTIFF,

vs.

DEPUTY LISA FRANTZ, et al.,

DEFENDANTS.

CASE NO. 4:16cv5

JUDGE SARA LIOI

MEMORANDUM OPINION

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action. (Doc. No. 72.) Under the relevant statute:

[. . .] Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C). In this case, the fourteen-day period has elapsed and no objections have been filed. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and adopts the same. Accordingly, the unopposed motion of defendants Nicole Lewis and Jasmine Lester to dismiss (Doc. No. 65) is granted in full, and all claims brought against them are dismissed.

Additionally, the Court dismisses plaintiff's claims under 18 U.S.C. § 242 as against all defendants for want of subject matter jurisdiction.

IT IS SO ORDERED.

Dated: May 30, 2017



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE